

REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Amendments to Claims

Claim 1 has been amended to include the limitations of claim 2, and the dependency of claim 3 has been changed from canceled claim 2 to amended claim 1.

Because the amendments merely **combine claims**, it is respectfully submitted that they materially reduce the number of issues for appeal and do **not** raise **new issues**, and that entry of the amendments is therefore appropriate under 37 CFR §1.116.

2. Rejection of Claims 1-8 Under 35 USC §102(e) in view of U.S. Patent Publication No. 2002/0102987 (Suisse)

This rejection is respectfully traversed on the grounds that the Suisse publication neither discloses nor suggests:

- a. data transmission software that splits a message into a plurality of units for transmission over a signal line to other communication devices **each** including the data transmission software, as recited in **claim 1** (instead, Suisse discloses a mobile device or proxy server that fragments a message into different communications formats and uses an **external controller** to distribute the fragments to different transmitters for transmission over different networks, such as TDMA and GSM, using **different transmission software**);
- b. division of data to be transmitted into units of **predetermined size**, as recited in claim 1 (instead, the Suisse publication discloses fragmentation of data into fragments whose size depends on the nature of the data and the type of network over which the data is to be transmitted);

- c. the claimed keying of any one communication device as a **master** and the other communication devices as **slaves**, in which the master divides the data into units and transmits a portion of the units to the slaves for simultaneous communication to a plurality of remote communication devices, as recited in claim 1 (according to the invention, all of the communication devices include “the data transmission software,” so any device can be keyed or selected as a master, whereas fragmentation of data in Suisse is carried out by a single mobile phone or proxy server, and not by one of a plurality of communications devices each having “the” data transmission software); and
- d. the claimed keying of one communication device as the **master** and the other communications devices as **slaves**, in which the slaves send received data to the master for regrouping and recover by using data transmission software in the master, as recited in claims 4 and 7.

Unlike the communication devices of the claimed “mechanism,” each of which includes data transmission software and any one of which can be keyed as the master via “input instructions provided by said data transmission software, the system disclosed in the Suisse patent uses an **external message split controller** operative to split a message into a plurality of message fragments **of varying size depending on such considerations as available bandwidth or Quality of Service**, and to enable each message fragment to be transmitted to a wireless radio frequency modem as a separate electromagnetic signal via a separate selected transmitting source over a corresponding selected radio frequency. The external controller of Suisse does not correspond to the claimed data units, and there is no need to “key” one of the units as a master since the fragmentation is carried out by a dedicated device.

The present invention utilizes data transmission software in a memory of each of a plurality of communication devices and a data transmission interface in each device for establishing a connection between the device through at least one signal line (which may be a

USB line as recited in claim 2) for effecting data transmission between the communication devices. The user sets one of the devices as a master by keying on one of the devices, and the data transmission software in the master divides the data into a plurality of units each having a predetermined size, and the units are individually transmitted to the other device through the signal line, the other device then transmitting the units through a wireless communication. When receiving data, the data transmission software in remote communications device receives data units sent from a corresponding remote communication device, sends the received units to the one of the communication devices designated as a master through the signal line, and regroups the units to recover the original device. As a result, communications between sets of devices is carried out in parallel, thereby increasing the rate of data transmission.

In contrast, Suisse discloses a mobile phone having a wireless RF modem constructed to cooperatively operate with an external message split controller, the message fragmentation being carried out by the mobile phone *or a proxy server or mobile switching station* (paragraph [0043] of the Suisse publication), for transmission to the external message split controller.

Instead of splitting the message into units each having a predetermined size, as claimed, the *size of each “fragment” of Suisse is determined depending upon the available bandwidth on each network selected to transmit the message fragments* (paragraph [0044]) or *Quality of Service criterion* such as latency, cost, required power, battery life, etc. The reason is that instead of transmitting the messages to multiple communication devices designated as slaves, the external message split controller transmits the fragments over whatever network best satisfies the fragmentation criteria. For example, according to paragraph [0045] of the Suisse publication, voice signals might be sent on a circuit switch network while data files can be sent on a packet switch network. This is not a matter of distributing message units of predetermined size to multiple communications devices each sharing data transmission software, but fragmenting messages into different formats and using a separate distribution device in the form of the external message split controller to transmit the fragments over entirely different networks. On the other hand, at the reception end, Suisse does not even remotely use multiple communication

devices connected by a signal line. Instead, as described in paragraph [0049], *at the receiver end, the message is simply reconstructed by reordering all of the received packets.*

Since the Suisse publication fails to disclose or suggest parallel transmission of portions of the data by devices connected by a signal line, the devices each having data transmission software and one device being set as a master for dividing the data into units of predetermined size (the Suisse patent instead disclosing a separation of a message into fragments transmitted by separate electromagnetic signals over different networks using a mobile phone or proxy server to fragment the message and an external controller to distribute the fragments to transmitters of corresponding frequency), withdrawal of the rejection of claims 1-8 under 35 USC §102(e) is respectfully requested.

3. Rejection of Claim 3 Under 35 USC §103(a) in view of U.S. Patent Publication Nos. 2002/0102987 (Suisse) and 2003/0099301 (Green)

This rejection is respectfully traversed on the grounds that the Suisse and Green publications fail to disclose or suggest, whether considered individually or any reasonable combination, the claimed transmission of message units of predetermined size from a master to at least one slave, and then from the master and slaves over a wireless network.

As explained above, the Suisse publication discloses a scheme for fragmenting data into different data transmission signals for transmission over different networks, while the Green publication merely discloses wireless communications between a hub and multiple peripherals, and could not have suggested modification of the system of Suisse in the manner claimed. The data units of Green are transmitted and received by a single device rather than multiple devices connected by a signal line, and the transmitted units are not received by multiple remote devices connected by a signal line so that the units received by the multiple devices can be re-assembled by one of the devices, as claimed.

Serial Number 09/912,296

While it is true that Green teaches use of a USB cable, the USB cable is not used to connect transmission devices in the manner claimed, while Souisse discloses a variety of different formats in local area mode, none of which involves USB.

Because neither the Souisse nor the Green publication discloses the claimed divide and regroup communications protocol and master/slave concept, or the use of USB in such a context, withdrawal of the rejection of claim 3 under 35 USC §103(a) is respectfully requested.

Having thus overcome each of the rejections made in the Official Action, expedited passage of the application to issue is requested.

Respectfully submitted,

BACON & THOMAS, PLLC



By: BENJAMIN E. URCIA
Registration No. 33,805

Date: August 17, 2004

BACON & THOMAS, PLLC
625 Slaters Lane, 4th Floor
Alexandria, Virginia 22314

Telephone: (703) 683-0500

NWB:S:\Prostace\benPending\Q...ZWWWANG 912296\02.wpd